

**ACTION MINUTES - COMMUNITY ENVIRONMENTAL ADVISORY COMMISSION**  
**Regular Meeting of 9/7/2006**

Attendees: Clear, Harris, Kibbey, Moret and Wilson. Absent: Hale and MacKusick.

**Public Comment:**

**Don Medley:** Manager of Government & Community Relations, LBNL: LBNL cannot endorse the nanoparticle motion, although he understood that LBNL was not the concern of the CEAC on the meeting agenda. Don identified that it is expected that research conducted at the Molecular Foundry will use less than 1 lb of manufactured nano-sized materials annually. LBNL does not have sufficient funding to conduct extensive health & safety research into nanoparticles. He advised CEAC to find funding if they wanted to see research at federal labs.

**Michelle Bonogotsky:** Journalism student, observing.

**Regina Woo and Marcia Woo:** Journalism Student and sister observing.

**Christina Chidester:** Journalism student, observing.

**On Thursday, August 3, 2006, THE CEAC took the following action:**

- **SUBJECT: July Minutes Review/Adoption**

Action: Motioned, seconded, passed (Clear/Kibbey. For: Clear, Kibbey, Harris, and Wilson. Against: None. Abstain: Moret. Absent: Hale and MacKusick.) to adopt meeting minutes of July 6, 2006 as amended (Kibbey recommended that last sentence be replaced by “each member write a proposal for how CEAC should proceed with Wood Smoke Ordinance.”).

- **SUBJECT: August Minutes Review/Adoption**

Action: Motioned, seconded, passed (Harris /Kibbey. For: Clear, Harris, Kibbey, Moret and Wilson. Against: None. Absent: Hale and MacKusick.) to adopt meeting minutes of August 3,2006 as amended (first sentence should show that CEAC voted to adopt the Wood Smoke Ordinance “in principle”).

- **SUBJECT: Nanoparticles Ordinance Review/Adoption**

Action: Motion, seconded, passed (Kibbey/Moret. For: unanimous, Against: None. Absent: Hale and MacKusick) That Council instruct the Toxics Management Division to add a disclosure for nanoparticles, similar to information required for all other chemicals in BMC Chapter 15 and also in California Health and Safety Code, Division 20, Chapter 6.95. That this disclosure should, in addition, require a written disclosure of current toxicology of the materials reported, and how the facility will safely handle, monitor, contain, dispose, track inventory, prevent releases and mitigate such materials.

- **SUBJECT: Health & Safety Research into Nanoparticles**

Action: Motion, seconded, passed (Kibbey/Moret. For: unanimous, Against: None. Absent: Hale and MacKusick.)“Recommend that Council require a letter be sent to Diane Feinstein, Barbara Boxer, Barbara Lee and Nancy Pelosi requesting them to work with colleagues in funding the National Nanotechnology Initiative in the 2008 budget and ask that funds be allocated for nanomaterials Health & Safety research.” Vice Chair Harris to work with Secretary on letter and it should be sent to CEAC prior to going to Council.

## **Announcements & Action from Commissioners:**

- CEAC agreed to further delay a vote on the second portion of the wood smoke ordinance allowing the Chair and Secretary to come back in October with clear language that follows the Solar and View ordinance (BMC 19.28) outline. A new provision adding 30-day timeline from an incident to notification of the offending party. Also a 30-day timeline from date of notification to arranging a meeting with the mediator.
- Wilson requested CEAC consider supporting the Green Chemistry for Toxics Substance Control Act in October meeting. Wilson will provide background and motion for packet.
- Harris updated CEAC on recent activities of the Creeks Task Force (CTF). Much of CEAC's input on the Creek Care Guide Best Management Practices (BMPs) was shared at the July and August CTF meetings and was consistent with the input and concerns of other CTF members in making the BMPs easy to understand, appropriate in scope and applicable to Berkeley's creeks and properties. The CTF expects to see draft ordinance language from City staff on Friday and will be discussing the ordinance at the next two meetings scheduled for September 11th and 25<sup>th</sup>.
- Kibbey requested that Proposition 90 is included in next month's agenda as a Discussion/Action item.

Adjourned 9:50pm